

REMARKS

Applicants express appreciation to the Examiner for the recent interview held with applicants' representative. The claims have been amended as proposed during the interview. Thus, independent claims 1, 18 and 21 have been amended, as well as dependent claims 11 -13, 15, 21 and 22. Claims 10 and 14 have been cancelled. Claims 24 – 27 were allowed.

Thus, by this paper claims 1 – 9, 11 – 13 and 15 – 27 remain pending. Of those claims, independent claims 1, 18 and 21 are presented for reconsideration together with the claims depending from them.

In the Office Action drawing figures 4 and 8A were objected to because the reference characters 415, 420 (Fig. 4) and 815 (Fig. 8A) were not mentioned in the specification. Paragraphs [0030] (in the case of Fig. 4) and [0037] (in the case of Fig. 8A) have been amended to refer to the noted reference characters. Accordingly, withdrawal of the drawing objection is respectfully requested.

Claim 1 has been amended to positively recite antecedent for the first longitudinal axis by amending the claim to state that the handle portion extends "at least approximately along a first longitudinal axis." Accordingly, withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is also respectfully requested.

Lastly, with respect to the rejections on art, independent claim 1 has also been amended to include the subject matter from dependent claims 14 and 10. Thus, as amended claim 1 is believed to be allowable since, as noted at page 5 of the Office Action, claim 14 has been rewritten to overcome to overcome the rejection under section 112, second paragraph, and to include the limitations of the base claim and intervening claims. Accordingly, independent claim 1 and depending claims 2 – 9, 11 – 13 and 15 – 17 are in condition for allowance.

With respect to the remaining rejections on art, independent claim 18 has been amended so that it claims a dental curing that comprises a handle portion extending at least approximately along a first longitudinal axis, and an extension portion extending at least approximately along a second longitudinal axis so that the second longitudinal axis is laterally offset by a predetermined angle relative to the first longitudinal axis, the predetermined angle comprising an angle at which light may be emitted relative to the handle portion, and the predetermined angle approximating the contra angle of a standard dental hand piece. The claimed dental curing light also comprises

a light source disposed on a side of the extension portion so that light is emitted laterally from the extension portion when the curing light is in use, and "at least one of the extension portion and light source is rotatably adjustable relative to the handle portion in order to selectively alter the predetermined angle at which light may be emitted." Thus, claim 18 as amended is clearly patentable over the prior art, and in particular overcomes the obviousness rejection based on the reference to Melikechi et al.¹ Neither Melikechi et al. nor any other prior art of record, either singly or in combination, discloses or otherwise suggests a dental curing light where "at least one of the extension portion and light source is rotatably adjustable relative to the handle portion in order to selectively alter the predetermined angle at which light may be emitted."

Similarly, independent claim 21 has been amended to claim a dental curing light comprised of a handle portion extending at least approximately along a first longitudinal axis, and an extension portion extending at least approximately along a second longitudinal axis that is either co-linear or parallel with the first longitudinal axis so that the extension portion is substantially linear with the handle portion. The dental curing light also comprises a light source disposed on a side of the extension portion so that light is emitted laterally from the extension portion when the curing light is in use, and "wherein the light source is connected to the extension portion at a first swivel point that permits the light source to be rotatably adjusted relative to the handle portion." Dependent claim 22 further defines the dental curing light as comprising "a second swivel point that permits the light source to swivel longitudinally up and down so as to permit the light source to be adjusted to emit light at any of a plurality of angles at one of which comprises an angle that approximates the contra angle of a standard dental hand piece when in use."

Claim 21 (as well as dependent claims 22 – 23) as presented herein is neither anticipated nor made obvious by any of the prior art of record, and specifically overcomes the asserted rejection on the Office Action is being anticipated under 35 U.S.C. § 102(e) by the reference to Dinh. None of the prior art of record, and Dinh in particular, disclose or suggest a curing light "wherein the light source is connected to the extension portion at a first swivel point that permits the light source to be rotatably adjusted relative to the handle portion," (claim 21) or "a second

¹ Since Melikechi et al. qualifies as "prior" art, if at all, under 35 U.S.C. 102(a)/(e) applicants reserve the right to challenge the status of the reference as qualifying "prior" art. Accordingly, any statement or comment herein to Melikechi et al. is made merely for purposes of argument, and assumes *arguendo* that such reference is proper qualifying prior art.

swivel point that permits the light source to swivel longitudinally up and down so as to permit the light source to be adjusted to emit light at any of a plurality of angles, at least one of which comprises an angle that approximates the contra angle of a standard dental hand piece when in use." (Claim 22).

Accordingly, for at least the reasons noted, independent claims 1, 18 and 21 and the claims depending from them are believed to be condition for allowance. Further, since the remaining claims (24 – 27) were allowed, all of the pending claims are believed to be in condition for favorable action, and such is courteously requested.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 7th day of September, 2006.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
Attorney for Applicant
Customer No. 022913